



PATENT  
Customer No. 22,852  
Attorney Docket No. 3495.0104-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Marc ALIZON et al.

Application No.: 09/986,634

Filed: November 9, 2001

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) Group Art Unit: 1648 (Prior Appln.)

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) Examiner: J. Parkin (Prior Appln.)  
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For: NUCLEIC ACID-BASED METHODS FOR THE DETECTION  
OF HUMAN IMMUNODEFICIENCY VIRUS TYPE 2 (HIV-2)

Commissioner for Patents and Trademarks  
Washington, DC 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of U.S. Patent 5,545,726 and U.S. Patent 6,316,183 are enclosed.

Copies of the other listed documents were previously submitted by applicants or cited by the Examiner in prior application no. 08/467,161, filed June 6, 1995, now U.S. Patent 6,316,183 (copy enclosed); application no. 08/132,919, filed October 7, 1993, now U.S. Patent 5,545,726 or application no. 07/756,998, filed September 9, 1991, now U.S. Patent No. 5,310,651, upon which applicants rely for the benefits provided in 35 U.S.C. § 120. Applicants respectfully request that the Examiner consider the listed documents

and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 6, 2002

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